

IN THE CIRCUIT COURT FOR
BALTIMORE COUNTY, MARYLAND

MICHAEL GONZALEZ)	
Bo Duey Bajo)	
Carr 330 Km. 1)	
San German, Puerto Rico, 06883)	
)	
Plaintiff,)	
)	
Vs)	Civil Case No. <u>C-03-CV-21-003640</u>
)	
COMCAST OF MARYLAND, LLC)	
1675 Broadway)	
Suite 1200)	
Denver, Colorado 80202)	
)	
<u>SERVE ON:</u>)	
The Corporation Trust Incorporated)	
2405 York Road)	
Suite 201)	
Lutherville Timonium, MD 21093)	
)	
Defendant.)	
)	

COMPLAINT

Plaintiff, Michael Gonzalez, by undersigned counsel, hereby files this Complaint against Comcast of Maryland, LLC, Defendant herein, and alleges as follows:

I. JURISDICTION AND VENUE

1. Plaintiff invokes the jurisdiction of this Court pursuant to Md. Code Ann., Cts. and Jud. Proc. Article, § 6-101 et seq.

2. Venue is proper in this Court pursuant to Md. Code Ann., Cts. & Jud. Proc. Article, §§ 6-201 and 6-202.

3. The amount in controversy herein exceeds the sum of \$75,000.00, exclusive of interest and costs.

II. PARTIES

4. Michael Gonzalez ("Gonzalez") is a citizen of Puerto Rico who resides at Bo Duey Bajo, Carr 330 Km. 1, San German, Puerto Rico, 06883.

5. Comcast of Maryland, LLC ("CM") is a company based in the State of Colorado with its principal place of business located at 1675 Broadway, Suite 1200, Denver, Colorado 80202. At all times relevant to this Complaint, CM was responsible for the maintenance and upkeep of its wires and anchors located on the utility pole marked "BG&E 188098" located near the intersection of Central Avenue and Belleview Avenue in Glyndon, Maryland ("Utility Pole").

III. FACTS COMMON TO ALL COUNTS

6. On or about June 2, 2019, Gonzalez was walking alongside Central Avenue in Baltimore County, Maryland.

7. As Gonzalez proceeded alongside Central Avenue, he tripped on an unmarked metal anchor and/or stake that was connected the Utility Pole which caused him to fall to the ground and sustain profound and painful injuries to his legs, hips, back, and body. Upon information and belief, the unmarked metal anchor was installed and maintained by Defendant, CM. As a

result of the injuries he sustained Gonzalez was forced to incur substantial medical bills. As of the date of the filing of this Complaint, Gonzalez is still experiencing pain and discomfort as a result of the injuries he sustained and, upon information and belief, may be in need of future medical care.

8. At all times prior to his fall, Gonzalez maintained a proper and vigilant outlook as he proceeded alongside Central Avenue and his actions in no way contributed to his fall. To the contrary, Gonzalez's injuries were solely the result of the negligence of the Defendant, CM.

9. Prior to this accident, CM had knowledge and notice (1) that the unmarked metal anchor and/or stake connected to the Utility Pole was in a state of major disrepair and constituted a hazardous condition; and (2) no adequate warnings were posted in order to alert pedestrians, like Gonzalez, of the dangerous condition which existed at the time of his fall.

COUNT I
(Negligence)

10. Plaintiff hereby incorporates by reference the allegations contained in paragraphs 1-9.

11. BGE, at all times relevant to this Complaint, was responsible for the maintenance and repair of the Comcast wires and the unmarked metal anchor connected to the Utility Pole located near the intersection of Central Avenue and Bellevue

Avenue in Rosedale, Maryland. As such, CM owed a duty to Gonzalez, and all other pedestrians lawfully walking alongside Central Avenue, to (a) divert pedestrians away from the portion of the Utility Pole that were in a state of disrepair, (b) to properly repair the metal anchor in a manner suitable for pedestrian traffic, and/or (c) warn pedestrians of the dangerous condition of the unmarked metal anchor.

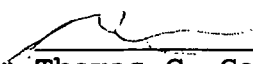
12. On or about June 2, 2019, CM breached the duties of care it owed to Gonzalez by failing to: (a) divert him from the area alongside Central Avenue where he fell; (b) properly repair the unmarked metal anchor so it did not constitute a tripping hazard for pedestrian traffic walking along Central Avenue; and (c) warn Gonzalez, and other pedestrians lawfully walking along Central Avenue, of the dangerous condition of the unmarked metal anchor which it knew or should have known existed as of the time of the incident.

13. As a result of CM's breaches of duties of care owed to Gonzalez, Gonzalez sustained substantial damages.

WHEREFORE, Plaintiff, Michael Gonzalez, prays that the Court enter judgment in his favor and against Defendant, Comcast of Maryland, LLC, for compensatory damages in the amount exceeding \$75,000.00, with the exact amount to be determined at

trial, plus pre-judgment interest, costs, and such other and further relief as justice may require.

Respectfully submitted,



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